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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
  
Plaintiff,  
  
vs.  
  
Donald Day Jr.,  
  
Defendant.

Case No. CR-23-08132-PCT-JJT

**AMENDED NOTICE OF ABSENCE OF  
A PUBLIC RECORD PURSUANT TO  
RULE 803(10) OF THE FEDERAL  
RULES OF EVIDENCE**

The United States of America hereby gives notice of its intent to introduce at trial a certificate of non-existence of record. Specifically, that the Remington 870, 12-gauge shotgun, with serial number AB455140A, was not registered in the National Firearms Registration and Transfer Record (NFRTR) maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives. In addition, the Remington 870, 12-gauge shotgun, with serial number AB455140A, was not registered in the NFRTR to Defendant, Donald

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1 Day Jr., or to Sabrina Spires. These certificates (Bates numbers 012377-012379) will be  
2 introduced through the testimony of ATF Firearms and Explosives Specialist James  
3 Robertson.<sup>1</sup>

4 Respectfully submitted this 27th day of March, 2025.

5 TIMOTHY COURCHaine  
6 United States Attorney  
7 District of Arizona

8 /s/ David A. Pimsner  
9 DAVID A. PIMSNER  
10 ABBIE BROUGHTON  
11 Assistant U.S. Attorneys

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on the 27th day of March 2025, I electronically transmitted the  
14 attached document to the Clerk's Office using the CM/ECF System for filing and  
15 transmittal of a Notice of Electronic Filing to the following CM/ECF registrant:

16  
17 Mark Rumold

18  
19 /s/ Theresa Hanson  
20 U.S. Attorney's Office

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22  
23  
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25  
26 <sup>1</sup> Due to the recent unavailability for trial of Firearms and Explosives Specialist  
27 Heather Huff, who was originally noticed as a witness on March 12, 2025 (Doc. 127),  
28 Firearms and Explosives Specialist James Robertson repeated Ms. Huff's searches in the  
NFRTR and will be substituted as the witness.